

VETERANS & SENIORS COMMITTEE

Of the

Suffolk County Legislature

Minutes

A regular meeting of the Veterans & Seniors Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on March 9, 2006.

Members Present:

Legislator Steven H. Stern, Chairman
Legislator Jack Eddington, Vice•Chair
Legislator Cameron Alden
Legislator John M. Kennedy, Jr.
Legislator Elie Mystal

Also In Attendance:

Presiding Officer William J. Lindsay
George Nolan, Counsel to the Legislature
Ian Barry, Assistant Counsel to the Legislature
Deborah Harris, Aide to Legislator Stern
Holly Rhoades•Teague, Director/Office for the Aging
Tom Ronayne, Director of Veterans Service Agency
George Roach, Suffolk County Legal Aid

Bob Mitchel, Suffolk County Legal Aid
Gene Pritz, Office for the Aging
Carole Rocco, Huntington Veterans Affairs Office
All Other Interested Parties

Minutes Taken By:

Diana Kraus • Court Stenographer

Minutes Transcribed By:

Kim Castiglione, Legislative Secretary

(THE MEETING COMMENCED AT 2:08 PM)

CHAIRMAN STERN:

The meeting on the Veterans and Seniors Committee will come to order.
Legislator Eddington will lead us in the Pledge.

(SALUTATION)

CHAIRMAN STERN:

I'll ask everybody to remain standing as is the tradition of our committee, ask everybody to take a moment of silence to give your thoughts and prayers to our very brave men and woman fighting overseas, and particularly to remember in your thoughts Army Specialist Thomas _Wilworth_ of Mastic recently killed in Iraq.

(MOMENT OF SILENCE)

CHAIRMAN STERN:

Thank you. I apologize to everybody, really. Today, as everybody knows, we are way over today, but I really appreciate everybody's patience and thank you so much for being here.

We have a few speakers on a couple of different topics today, but what I'd like to do is start off by inviting forward guests. We're going to talk about veteran's issues and it's always a pleasure to welcome Director Tom Ronayne to the committee. So, Director Ronayne, good to see you.

MR. RONAYNE:

Thank you, Chairman, I appreciate it. Members, I don't have a great deal to report on other than to remind you that we have been continuing to work on the outreach initiatives that we had discussed at a previous meeting, going out into the community and actually the act of getting out of the office and going out and searching and finding and identifying the veterans who for a variety of reasons are not aware of or choose not to avail themselves to the services that we can provide to them.

I'm happy to report that we have been very successful. We're finding people in the community that, frankly, we're a little surprised are out there. There is a very broad range of veterans who we have been able to assist on different levels, and I'm happy to report that this initiative, reaching out to the homeless veterans, the minority veterans, and the female veterans, is beginning to bear some fruit. All I have to do now is be able to continue to pay for it.

Very briefly, I did want to touch on the fact •• I'd like to just take my hat off. When you made mention of Specialist _Wilworth_ , we worked very closely with the family upon notification that he had been killed. I worked with the parents for several days prior to his remains being returned and then we were with them over the weekend and through Tuesday for the burial.

I really would like just to report to this committee that Police Commissioner Dormer, Rich Dormer, and I had spoken several times about some voids in

services that families prior to our last KIA had been receiving and my hat is off to the Commissioner. He implemented an initiative, it's not an initiative, a directive within the Police Department and the services were absolutely sterling. So I just would like you all to be aware that the Commissioner is a very dedicated advocate of the veterans and their issues.

He also, but the way, is a veteran of the same division that Special _Wilworth_ had belonged to, they were both Fourth Infantry Divisions, so. That being said, I really do not have much to report unless there are questions or follow•up.

CHAIRMAN STERN:

Mr. Presiding Officer.

PRESIDING OFFICER LINDSAY:

Yeah, Tom. I thank you for following•up on that unfortunate Suffolk County resident that lost his life in Iraq. Are we doing anything, though, to follow •up with people coming back that aren't injured or aren't •• to see if they need any help with anything? Do we have any program like that or is there any program like that that is being done by some of the veterans organizations?

MR. RONAYNE:

We're working very closely with a variety of veterans organizations, and one of my best tools for that is the County Executive's Veterans Advisory Board. We've got representatives from 20 veterans organizations on the board and they are really my eyes and my ears. Unfortunately, the Department of Defense post 9/11 is very closed mouth with regard to releasing information or making information available on movements of troops, and that includes returning home. We do have relationships with several of the units on the Island, the Air Guard, the Army Guard out in MacArthur, Colonel _Canders_ out in the 106th in Gabreski, the 86th •• I'm sorry. The Fighting 69th over in Bay Shore. We have communication and dialogue with all of these units and we try to informally share information.

PRESIDING OFFICER LINDSAY:

So we don't have any way of knowing who is returning.

MR. RONAYNE:

Not unless we get a call telling us that somebody is coming in, and those calls are few and far between. When we do get notification we are at the point of arrival. If they are coming in by bus to a unit, if they are returning to a base by aircraft •• whatever their the mode of arrival is we are out there when we're aware of them. But unfortunately very often I find out on News 12. I go home at night and watch the news and realize, find out, that a unit had returned home from a deployment. There is nothing in place to formally notify us of their return, so. It's unfortunate. That's a little bit catch as catch can.

CHAIRMAN STERN:

Legislator Eddington.

LEG. EDDINGTON:

Thank you, Chair. And I just wanted to add that I had spoken to Tom earlier. I'm a member of the American Legion, the VFW under Vietnam Veterans, and those organizations every meeting starts with that discussion so that I know, and you've talked to Joe _Themens_, so I know they are reaching out to you but that is the best we're doing right now. So if you come up with anybody that we can contact through our organizations I would be more than willing to help you with that.

MR. RONAYNE:

Again, I work with all of the veterans organizations, and another valuable tool is our representatives in Congress. Very often those offices will have information that I don't. So, having a good relationship with both of our Congresspeople sometimes yields information, but there is nothing in place that permits us to be on any notification list at this time.

LEG. EDDINGTON:

I'm wondering if I could take •• to ask our Presiding Officer, could we reach out to our Congressmen and ask them to facilitate that for us?

PRESIDING OFFICER LINDSAY:

Sure. If the information is available.

MR. RONAYNE:

Yeah. The Congressmen have been very helpful. Unfortunately, it's that they also are not always notified. It's not something •• it would have to be done on the Department of Defense level that would get us added to a list of notification.

PRESIDING OFFICER LINDSAY:

Yeah, we might be able to petition them to help us get the notification.

MR. RONAYNE:

That would be outstanding.

LEG. EDDINGTON:

Okay.

LEG. ALDEN:

You just can't do it as a Sense resolution.

PRESIDING OFFICER LINDSAY:

Right. Right.

LEG. EDDINGTON:

Thank you.

CHAIRMAN STERN:

Legislator Mystal.

LEG. MYSTAL:

Good afternoon, Tom. Good afternoon. My question is from the other side of the spectrum, is that what I'm getting in my office more often than not are people who are already here but are trying to access services from the Veterans Affairs and from what I call replacement. They have served their tour of duty, they are back. A lot of them don't have, you know, don't have

a job sometimes to go to because they were in the Army and they don't have a job and trying to place them into a job.

Others need some medical services which I know they go to the VA up in Northport, but a lot of them are having difficulty in readjustment within the community. What I get is they are coming to my office and say can you help, what can you do, and I find myself, my office is very short on answers for them.

MR. RONAYNE:

Anybody •• I would suggest that any veteran coming into your office for any reason, I would almost ask that we automatically refer them to my office. We •• there is a myriad of services that are available through our office. And all of our Veterans Service offices are •• they are well•trained, they are accredited, and these are the people who are in the know.

I would also remind you that the likelihood of success when you apply or when you file a claim at the VA, the statistics for success in getting a claim granted tremendously favor using the services of a professional Veterans Service Officer. I know Legislator Kennedy has some experience in that area. A veteran trying to navigate that system on his own is really putting himself at a tremendous disadvantage. So, regardless of what their need or their concern, I would ask that they be referred to my office because we're the people who can help them.

As far as the employment, I should mention that one day a week now we are working with the Department of Labor over at the One Stop Center. One day a week we have an on•site Veterans Service Officer in the Department of Labor One Stop Center over here in the North Complex serving the employment needs of veterans specifically. So, it's not going into a crowd and being there in general. We have got a Service Officer working specifically one on one with them for employment issues.

LEG. MYSTAL:

The second question that I have, which I have not received many of them, but I have gotten two letters from people who are on duty. They are actually on duty now somewhere in the Middle East and they will write me a

letter not for themselves, they got, you know, parents or a family member who has some kind of a problem which they would be able to deal with if they were here, but they cannot deal with it because they are somewhere, you know, serving their tour of duty. They write me letters, you know, to my office saying this •• I have this younger brother and he is in a little bit of trouble and can you help. And I find myself then trying to help. It is very hard for me to communicate because, like you said, the letter I get doesn't tell me exactly where they are. You just, you know, have to write to the APO thing or whatever you have to do.

Is there any way I can contact your office and let you know of the family problem that they have. You know, I have one guy calling •• you know, writing me a letter in terms of his wife who is divorcing him. You know, what do I do with that. Is that •• I know it's kind of weird, but what do I do with a guy who is somewhere in Afghanistan or in Iraq and trying to make my office intervene in something that the wife, you know, wants to divorce him because he hasn't been around for a year•and•a•half.

MR. RONAYNE:

Depending upon the nature of the problem and depending upon the relationship of the person contacting your office to that service member or veteran, there are some things that we can help with. There are, unfortunately, things that we would not be able to assist with. But if they are the dependent of the veteran, there are in many instances going to be opportunities for us to provide assistance. But again ••

LEG. MYSTAL:

I called the wife and she won't talk to me. So I was like what do I do then.

LEG. EDDINGTON:

Refer to Counsel.

LEG. MYSTAL:

Okay. That's what I was asking. Can I contact your office on something like that?

MR. RONAYNE:

Absolutely. Absolutely. We always love to you hear from you at the Legislature.

LEG. MYSTAL:

Thank you.

CHAIRMAN STERN:

Legislator Alden.

LEG. ALDEN:

There's also special •• you know, any time you're in the military you just can't be served in a normal manner so, you know. And I would suggest, Elie, you know, if you get those kind of inquiries, the _Judge Abdicate General's_ Office, too, they provide, you know, both sides of it. While they do prosecution type of work they also represent servicemen that, you know, are being even sued civilly or whatever. So that might be one thing that maybe you didn't know about. He should get, you know, the serviceman should get to, you know, the legal representative of whatever unit he's with.

LEG. MYSTAL:

Well, he was just telling me because he doesn't want to get divorced.

LEG. ALDEN:

I know. But even if he's being sued.

MR. RONAYNE:

And there are also •• and what I'll do is I will provide a copy to each of the Legislators. The Soldiers and Sailors Civil Relief Act provides a number of protections and assurances to servicemen while they're in uniform and for a period of time upon their return that very often I think you would find the information useful. That goes to financial, legal, civil, many issues. I'll forward copies of the Act. It's been recently •• I think it was amended most recently in 2003. Prior to that it had not been revisited since 1945. So, it's pretty current.

CHAIRMAN STERN:

Any other questions? Director Ronayne, thank you. Thanks so much.

Also with us today is Carole Rocco, Director of the Huntington Veterans Affairs Office. Welcome.

MS. ROCCO:

Well, you promoted me.

CHAIRMAN STERN:

I'm sorry?

MS. ROCCO:

I said you promoted me.

CHAIRMAN STERN:

You deserve it.

MS. ROCCO:

I'm Coordinator of Veterans Affairs for the Town of Huntington on the Veterans Advisory Board. And as Tom reminds me, I should tell you that I'm on his Suffolk County Veterans Council representing the Huntington Board. But first I want to thank Legislator Steve Stern for inviting me here today. Thank you.

I just want to give you a little background on the Veterans Advisory Board. It was created by town board resolution in 1988 that created the Veterans Advisory Board. The purpose of the Veterans Board is simply to be a presence to town government of our veterans population, and to advise the board of any veterans issues and concerns. Our board consists of representation from every veterans organization that meets within the Town of Huntington. And the VAB has representatives of every post. It's been very successful as a catalyst bringing the information and creating a real spirit decor among the organizations.

The concept of our board has fostered a strong sense of dedication to a common goal that unites all the groups. In the past, the American Legions and the VFW's historically did not cross paths. However, our board has brought a sense of camaraderie and friendship to all the veterans

organizations in Huntington. And our board consists of the Marine Corp League, American Legions, VFWs, American Ex•POWs, Disabled American Vets, Vietnam Veterans of America, the Women's Veterans, Jewish War Vets and the Navy Seabees.

This past last year in June we had held a breakfast and it was very, very successful. We drew veterans from Nassau and Suffolk County. The theme was to honor our veterans and support our troops. We had over 850 veterans and friends in attendance. We raised funds to buy night goggles, special t•shirts and phone cards for the soldiers of Iraqi Freedom.

Our board is proud of Huntington Veterans Plaza which turned the front lawn of Huntington Town Hall to a magnificent tribute to our veterans with monuments that are the likes of fine artwork dedicated to World War I, II, Korea, Vietnam, and honoring women in the military.

We continue to represent the veterans with a presence in Town Hall. We also have a veterans hotline in my office. But with my past experience working with the veterans and their families, the first thing that comes to mind is the necessity of providing the families with the discharge papers for the veteran. It is not unusual to receive a call from a desperate family member on a Friday afternoon around 4:20 trying to locate the DD214 of a deceased veteran. We have many on file because it's a qualification to place a veteran's name on our monuments.

We have been able to help families, you know, and veterans themselves, but I know in the past the Suffolk County Clerk's Office has registered discharge papers, but it's a very little known fact. I suggest that the practice be reinstated through public awareness for all veterans, not just the returning veterans of Iraq, but for World War II, Vietnam, Korea, and the Persian Gulf. I think it should be publicized. It would be a great help for the families and get the guys to register their papers.

And also, I strongly urge all the towns in Suffolk County to create a similar board and use the Town of Huntington's Advisory Board as a model prototype for veterans to have similar representation as the Town of Huntington veterans population. I urge that and I would be happy to help

any town that wanted to create a board like ours.

One other concern, a couple of concerns. I talked to the VA and they would like to publicize the new Iraqi veteran to enroll in the VA. Even if they feel, this is what they've told me, that they're fine when they come back. There is a two year eligibility window which they can enroll at any time. Once that two years expires, it's on a criteria basis. If they register immediately then they don't have to worry about that basis. If they continue to use the VA they will just be grandfathered in. After the two year enrollment, the period that is the income criteria now is \$43,250 for a single veteran and 49,000 with dependent. That's the yearly income.

Also, they had mentioned that we should urge the Vietnam Veteran to also to continue to register because they feel sometimes they are not eligible, but they may be under the eligibility which is priority six. It is certain illnesses that they may have incurred later on in life, and that they would be eligible for help through the VA that they aren't getting now.

What else, what else, what else. The VA Medical Center, they would like to reinforce that they need that in the East End because a lot of the people from Riverhead and east can't make it to Northport. So that's something the VA is very strong on putting together. That's about all that I have to say and I want to thank you for inviting me to your committee.

CHAIRMAN STERN:

Carole, thank you. Thanks so much for coming. Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. And thank you for appearing before us. Two things, I guess, that I'd just like to go ahead and share with you. I applaud you for bringing out and urging the registration of the DD214's. In the eight years that I was out there, we would go ahead and do a filing on a regular basis. But you are right, I think it's something that bears publicizing and I think that it's something that we can do, you know, vis•a•vis correspondence, our own newsletters and things like that to encourage veterans. So I think that is an important point to kind of reiterate. And it's cost free and it is something that, you know, preserves in a safe spot the ability to have a

DD214 and the ability to get certified copies.

The other question I guess I have for yourself and for Director Ronayne. Clarify for me, if you will, a little bit please about the eligibility for the services from the VA for the returning vets. I'm not quite certain that I understand that 24 month difference as far as the ability to go ahead and receive services there in Northport.

MR. RONAYNE:

Upon return home from theater, when they are separated, they are entitled to receive services at the VA for two years. It's 24 months. Technically the way it was written, it was receive services for service connected conditions, illnesses, disabilities, diseases, etcetera. The VA, and I certainly am not going to site VA policy or speak on their behalf, they have chosen to not enforce the service connected portion of that. They're being gracious enough to allow these returning soldiers to, while they are reassimilating back into their lives, be able to receive these serves.

Upon the arrival of that two year anniversary, then they get subject •• then they are subjected to the means, unless, of course, they have a service connected condition. Once they're granted a service connected rating, then they preserve their eligibility for VA services.

LEG. KENNEDY:

But, again, as you have, I think, accurately described that can sometimes take almost a decade to establish service connection as far as a disability goes. So if there is the ability to go ahead and maintain this ability by just checking in within the 24 months after discharge, that's a significant hurdle.

MR. RONAYNE:

It's tremendous. And we all know the cost of health care •• health insurance. This is a service that is made available to these soldiers at no cost.

LEG. KENNEDY:

Does that go to the receipt of the medications as well?

MR. RONAYNE:

There's a co•pay on the medications. I think it's eight dollars right now.

LEG. KENNEDY:

Somewhat nominal.

MR. RONAYNE:

Yeah.

LEG. KENNEDY:

Okay.

MR. RONAYNE:

But it is ••

LEG. KENNEDY:

It's an important distinction.

MR. RONAYNE:

It's a valuable benefit.

LEG. KENNEDY:

Thank you. Thank you, Mr. Chair.

CHAIRMAN STERN:

Mr. Presiding Officer.

PRESIDING OFFICER LINDSAY:

Yes. Mr. Ronayne, maybe it would be a good idea if you came up with a couple of sentences about how to register, when to register, that we could distribute to each one of the 18 Legislators and, you know, again, usually in the summer we put out newsletters. I could encourage them all to put them so you could wind up Countywide with this information. But just so that we're all saying the same thing. If you could ••

MR. RONAYNE:

We'd would be happy to.

PRESIDING OFFICER LINDSAY:

Great. Thank you.

MR. RONAYNE:

We'd be happy to. And if I can clarify the matter of registering your DD214 at the County Clerk's Office. In this day and age everybody has privacy concerns. Under public law a veteran filing •• placing on file his DD214 or any other documents related to his military service, he is entitled to have that file sealed and that file is accessible only to the veteran and his next of kin. So it's not something that would be accessible to the general public.

LEG. KENNEDY:

No. And that is something that is kept confidential when there is requests that are made. They are honored only by the veterans themselves. And that is not a body of documents that's been scanned, put on•line or anything to that effect at all. It is absolutely, positively the strictest confidentiality with it. But again, as you well pointed out, the DD214 is necessary for receipt of veterans tax credits from your real property tax assessor, eligibility sometimes for mortgage reductions. There is a whole variety of different things you use a DD214 for, so, it makes sense.

MR. RONAYNE:

Without •• I know that it's getting late in the day. I don't want to belabor this, but a perfect example. We had a veteran recently who had passed away. He has no next of kin. He had a girlfriend but she didn't have any legal rights to him. He passed away and he was being kept over here at the Medical Examiner's Office. They were preparing to inter him as an indigent. We were able, through communicating with his girlfriend, to go out to the County Clerk's Office to research the records, and he in fact had filed his discharge. He had filed his DD214. Having that, we were able to get his remains released to the girlfriend and he was interred in Calverton as he appropriately should have been. So it is a valuable, valuable tool.

LEG. KENNEDY:

Good work.

MS. ROCCO:

I just would like to say we in Town Hall, because of our monuments, we have over 7,000 veterans' DD214s on file and it has really helped many families at last minute to, you know, be able to supply that for them for cemetery purposes. So it would be wonderful if the County would do it on a Countywide basis.

CHAIRMAN STERN:

Thank you. Thanks guys. Thanks so much for being here. I appreciate it.

Next on our agenda, this is actually a great privilege for me, I want to welcome George Roach, Director of Suffolk County Legal Aid Senior Citizens Division. I was a 25-year-old kid just out of law school, not knowing who, what, where, when or anything else. Much of what I learned was with the help of George Roach and the wonderful presentations that he does as part of the Continuing Legal Education Programs at the Suffolk County Bar Association, and I'm thankful for that. And, George, it's a great pleasure to welcome you here today.

MR. ROACH:

Steve, thank you very much for having us here. The gentleman to my left is Bob Mitchel. He's the attorney in charge of the entire Legal Aid Society. And for those Legislators who don't know who I am, not that you should, but for the past 27 years, I have been working for the Legal Aide Society. I am the chief attorney for the Legal Aid Society's Senior Citizen Division. And in addition to that, I've also been a past president of the Suffolk County Bar Association. I have been fortunate in that regard.

The Senior Citizen Division of Legal Aid, we provide the legal services to the senior citizens of Suffolk County age 60 and over under Title 3B of the Older Americans Act. And, of course, that title provides for the funding and also provides that the services are free of charge to the senior citizens of Suffolk County 60 and over solely by virtue of their age. There is no financial means test. And I have been providing that for the past 27 years.

When I started, by the way, in 1979, we had according to the census at that time about 120,000 senior citizens, people residing here 60 and over. We now, 27 years later, have over 250,000 people. That's over a quarter of a million people reside here in Suffolk County age 60 and over. And we provide the legal services to them under the contract with the Suffolk County Office for the Aging, and yet we only have four people in that division.

And while we're here today, I thank you for the invitation, for inviting us down, I would like to take this opportunity to thank not only the members of this committee, but the entire Legislature, your colleagues, for providing some very serious additional funding to us this last time around and keep this program running for the people that are 60 and over out there. And as you know, with the changes in both the Medicare and Medicaid laws this time around, it's getting exceedingly difficult for senior citizens to do some planning, provide for their health care services in this County in this day and age. So I certainly want to thank everybody on this committee for that funding.

At this point I turn it over to Bob Mitchel for some background on the funding, because I don't really get involved in too much of the funding.

MR. MITCHEL:

Well, as most of the people on the committee know, except for Mr. Eddington and •• hello. Okay. My name is Bob Mitchell. I'm the attorney in charge of Legal Aid. And as most of the members of the committee know, last year we received from the County for senior citizens through the Office of the Aging about a quarter of a million dollars which was our standard budget for the last ten years or so. We could not longer continue to operate with that kind of money.

I went to Mr. Kennedy, Mr. Mystal and to Cameron Alden with George and requested additional funds. We got an additional quarter of a million dollars from you gentlemen to bring us up to close to a half of a million dollars which enables us to continue the services of George and the people that work for him and he does a great job going out and speaking and helping people. All sorts of civil suits now with mortgages, etcetera, and cars and

what have you. But when I received my contract from the Office of the Aging, it •• on page eight it says that 250,000 you received this year will not be restored next year. It was a one•shot deal.

So, what I'm asking you gentlemen is that when we submit our budget next year for a half of a million dollars that we receive the money. If not, I'm going to have to cut a half million •• a quarter of a million dollars out. I don't know if you remember, Cameron and Mr. Kennedy. I'm sure they do remember. Well, thank you.

CHAIRMAN STERN:

There are •• thank you. There are four working in the division.

MR. ROACH:

That's our division. It's senior citizens.

CHAIRMAN STERN:

Made up of who and what kind of services do they provide?

MR. ROACH:

Well, I'm the full•time attorney. All right. We have a part•time attorney, a wonderful woman named _Loret Mulrey_ . And we have two part•time paralegals/secretaries. Not part•time, full•time paralegal/secretaries. The question has always been keeping these people under the budget. And of course the Office for the Aging has always been limited in the amount of money they provide from Title 3B, there is a formula, and they say for the past ten years this is the amount of money you get and you guys _wack_ it up any way you like. And we've had to lose people over the years because we just couldn't afford to pay them.

But circumstances being what they were, the Legislature in this County stepped up to the plate last year and provided the real money, the funding that we need. And it's not just a stop•gap measure. It is there now and of course the Office for the Aging, their position is look, we didn't provide that additional funding to you. You got it from the Suffolk County Legislature.

All right. So we're not going to provide it to you next year. All right. It's not in the cards.

So that's why we're here, just to make you aware that we got the money this year, but next year is going to be the same story. We will be back here hat in hand saying we need this funding because the amount of people out there just •• we're an aging society, there is no question about it.

CHAIRMAN STERN:

Legislator Kennedy.

LEG. KENNEDY:

George, I am glad to see you again and have a chance to chat with you and certainly you and I have had the opportunity to go ahead and I guess deal with some of the property issues that are associated and unique to senior citizens over the course of the years. And like Chairman Stern, I have had the privilege, I guess, to sit through some of your CLE's and they actually are informative.

But, I think you bring up a good point, as does Bob, about the fact that we have an ever expanding population hitting that baby boomer status, and at the same time we're seeing seniors who are for whatever reason being subject to a variety of different schemes. That's the only thing that I can call them. Many, many times we have had the conversations about seniors who came out with folks wanting to do half _baked_ mortgage arrangements, deed transfers, loan arrangements, any number of different types of predatory things that were out there that clearly needed an attorney's counsel, guidance and protection. And I imagine that you are seeing that only increase as we're seeing the cost to live on Long Island and Suffolk County go up, the value of properties go up, and the stresses upon seniors only be compounded. It's inconceivable to me that you are getting less contact. You're getting more.

MR. ROACH:

We're getting more •• not only are we getting more contact, the problem is there is only so much of the program to go around. I'm it basically. And it gets to the point when we can't handle the litigation. I'd love to be able to

have a staff like the County Attorney does or the Town Attorney. I'm it. And a lot of times we'll see a pattern and practice on these predatory lending things, people refinancing their house, taking equity out, and the woman winds up not having any money when she refinanced her house because all the other people involved in this closing, they took it all. What we do is try to put those together and use the good offices of either the Attorney General or the DA's Office and forward those cases on and say you guys, look at this, there is a criminal pattern and practice going on here.

We had a case on a nursing home bill. A woman's husband run up a nursing home bill of over \$300,000. She got sued, there was a judgement rendered against her, and the only reason we found out about the case was the Judge, Judge _Whalen_ , who was signing the sale order had called me and said I don't want to sign this order. You need to come in on this case. These people didn't even know this program existed. They were an African American couple from Brentwood. And it took, really, it literally took three lawyers eight months with specialized knowledge of both the Medicare law, the Medicaid law, to get Social Services to reopen the case so he was eligible for Medicaid and once Medicaid paid, the lawsuit went away. But there is no way on this earth these people would have ever been able to hire a lawyer with the specified knowledge to do this. And it was a case that was in the papers and we're proud of it, but it took a lot of work and a lot of specialized knowledge to do it.

LEG. KENNEDY:

And again, I guess I can't say enough good things, and I know my colleagues know this as well. But the other point, I guess, that I'd make, and certainly I go back to last fall as the rest of us did here when you came and presented to us. Not only was it important to fund you and your aspect of providing services for the senior citizens, but the balance of Legal Aid has a responsibility across the board as well and that was really being impinged upon or compromised in an effort to continue to deliver service and not turn people away and so it was having an aggregate impact on the agency across the board.

This funding allowed you to be able to go ahead go forward and give the balance of the agency the ability to go ahead and meet it's needs. Correct,

Bob?

MR. MITCHEL:

That's true. That's 100% true. That was the whole •• that was the point of our conversations when I originally came to see you. We are using our people to help George.

LEG. KENNEDY:

The only other aspect, I guess, that I'd ask you, George, and it's just, it's been so many years since I was involved with it. That Older Americans Act Title 3B funding, is that finite or is that dependent •• is that a per capita funding?

MR. ROACH:

It's •• actually the funding itself •• because Legal Services is a mandated program under Title 3B. Now, the County, there is a formula that they use to determine how much money we get. All right. The County, the Office for the Aging, makes that determination. Plus, over the years they have added to that money. Not a heck of a lot, but they have added to it. They've funded really more than they should, but it really wasn't enough and in the course of things money that they had went elsewhere and we were left to do what we had over a ten year period when things were stagnant. We got no raises, we got no additional cost in our funding, yet the population of Suffolk County who needs this service keeps growing.

You know, we're getting calls from senior citizens who are the children of senior citizens. So as you say, we're an aging society, but we certainly appreciate the funding that this Legislature has put into place. It really stepped up to the plate.

LEG. KENNEDY:

I know my colleagues have questions. Thanks so much. I appreciate you coming.

CHAIRMAN STERN:

Legislator Alden.

LEG. ALDEN:

I just, through the Chair, and with the Chair's permission, I just want to expand on one thing that Legislator Kennedy raised and just so we're all aware of it, even though it doesn't impact, you know, senior citizens 100%, but Legal Aid competes in the marketplace for attorneys. And un •• well, fortunately for one reason we took care of the DA's situation when he was losing all of his attorneys and made him more competitive in the marketplace about two•and•a•half years ago. But we didn't really take care of Legal Aid and making them competitive in the marketplace.

So Bob's had a heck of a time, you know, trying to, you know, hire attorneys, train them and then retain them because basically even in County government the County Attorney's Office pays more, the DA's Office pays more, and certainly private industry pays a heck of a lot more. But that's something that, you know, as long as we're thinking about it, maybe taking that thought through to the, you know, the budget process. We could maybe do a little something more for the entire office and hopefully think about maybe expanding the services that we will provide to senior citizens this year in a, like a quite substantial way.

MR. MITCHEL:

I'd appreciate that. When the Legislature passed the •• what is it, the DA's budget this year, it had to do with the AME contract, I think. They all got the same money. All the attorneys that worked for the County all were boosted up X amount of dollars. They wouldn't include us in that budget in those figures. I think they call them exempts. All the exempt people got the same money as the AME people did. We asked them to include us and they said no.

So right now the DA's hires are about 54,000. We hire at 48. We have got four openings. People are leaving us. They are getting 65,000 outside. See, the DA also has steps and grades, so he can hire someone at •• let's say he hires them at 52. The next month he moves him to 56 or 58. He can do that, we can't. We don't have steps and grades. So, if we could get parity with the DA, I guess that is the word I was looking for, parity with the DA, that would be great. That would make us very competitive. We have a

very good staff as the DA will tell you.

LEG. MYSTAL:

Bob.

MR. MITCHEL:

Yeah?

LEG. MYSTAL:

If you ever get monetary parity with the DA, wouldn't that also make you more competitive in the courtroom?

MR. MITCHEL:

Oh, no. Absolutely not. But I'll tell you what. You see what happens is we train them and then the DA takes them.

CHAIRMAN STERN:

That's true.

MR. MITCHEL:

And they throw them right back at us.

CHAIRMAN STERN:

Anybody else? Very good. Gentlemen, thanks so much for coming. It's good to see you. Gene.

MR. PRITZ:

Thank you for inviting me.

CHAIRMAN STERN:

Yes. Gene Pritz, good to see you.

MR. PRITZ:

Hi. I'm Gene Pritz. Is this on?

CHAIRMAN STERN:

Yes.

MR. PRITZ:

My name is Gene Pritz. I sit on the Office for the Aging Advisory Board as well as several other senior advocacy groups. In the interest of time I'll keep my remarks very brief.

At the invitation of the White House I recently attended the White House Conference on Aging and discussion centered on the proposed changes in the works for seniors. Basically Social Security, Medicare Part D, housing, pension and retirement planning, as well as the laws pertaining to look back on donations and asset transfers and many other legal changes that are in the works pertaining to seniors.

The conference came up with over 70 recommended changes. These things are now before the committee and they will come back in June with the new proposals. All of these things if you have had the opportunity to look at them, pertain to legal issues pertaining to seniors.

This County, Suffolk County, has the largest percentage of seniors than any other county in the State of New York. That's kind of hard to believe, but believe me, the statistics prove it. The legal aid for many of these seniors is a major problem and seniors need •• the legal advise is crucial and many cannot afford that advise. Both gentlemen, I think, made their case very eloquently and so all I want to do is urge you gentlemen to please do everything you can to help the Legal Aid Society. That's all I have to say. Thank you.

CHAIRMAN STERN:

Gene, thank you. Gene, let me you ask just one quick question because you're here to speak on this topic, but of course what's going on all across Long Island in the lives of seniors and their families is something that you are very well familiar with.

Knowing I'm sure as you do about the Deficit Reduction Act and, you know, many of the budget cuts and Medicaid and Medicare reimbursement reductions, maybe you can give us a sense of what Long Island seniors are thinking. Are they out there saying that we believe that the sky is falling,

are they running to get legal advise. Are they ducking under a rock and hoping that it ultimately doesn't affect them. What is your sense of the senior community as a result of all of these recent enactments.

MR. PRITZ:

Well, one of the major problems right now, of course, is Medicare and Part D on the prescription drug. The County is out there almost every day holding sessions telling them all about it. The Congress •• both Congressman Tim Bishop and Steve Israel have been holding all kinds of conferences.

As far as the seniors, they are very concerned. And no, they are not hiding under a rock. They are out there asking questions. But there's no doubt about it, unless something is done about this prescription drug law, we are in serious trouble. You just have to look at what is going on.

The administration, the Washington administration says go on the internet and you'll get an answer. Well, I have been doing that for the last couple of weeks and I want to tell you something, and I think I'm a little savvy on the computer. You have no idea how difficult it is. You want to try to call them? They have a phone number. I was on the phone last week, just as an example, to find out what information I could get. I was on the phone for 35 minutes on hold and I determined I was just going to stay there until I got an answer. Finally, someone got on and said I'm sorry, I can no longer speak, my time is up, I have to home. Thirty•five minutes of waiting and then.

So I was real stubborn. I hung up and I called again. My second call came through, and again in about 30 minutes they answered, and finally this gentleman on the other end, I posed a question. It wasn't really a real question, it was just I wanted to see what the answer was. He said just a minute, I'll look it up. Now, these are people that are supposed to be knowledgeable. Can you imagine what the average senior has to go through to get an answer? Go to your doctor and ask him. If you go to your doctor and ask him about Part D they don't have the answer either.

So, Mr. Stern, the seniors are not hiding. They're out there trying to get information, but it is almost impossible. I know this committee has nothing

to do with the Part D. But unless the government does something about this, and by the way, unless you sign up by May 15th, you're out of picture entirely. The penalty is unbelievable if you sign up after. If you wait a year you've got a 12% added on to your cost. So, no, the seniors are not hiding. They are out there fighting for everything they can get and they deserve it.

CHAIRMAN STERN:

Now, I'm sure you're aware that there is pending federal legislation right now that would extend that deadline to sign up. Do you think a six month extension is going to get it done here?

MR. PRITZ:

Unless they •• unless they start all over again, I don't see how this can be changed, just the little changes. I mean it is •• I don't know how familiar you gentlemen are with the law, but it is almost impossible to understand. I have been in Washington four times since this conference and I have called on mainly the Long Island Congressmen and they admit, they admit that they are not even familiar with what they sign and they apologize for it. Because one of the other things, when the law was proposed, it was almost done like three o'clock in the morning and nobody was there. And they had all agreed to go through with it.

So the whole thing is a shambles and I personally am very concerned. I have been gone, as I say, I went to Washington four times since the conference. I'm going again in another two weeks and I'm fighting for something to be done about this Part D.

CHAIRMAN STERN:

Thank you. Anybody? Gene, thanks so much.

MR. PRITZ:

Thank you.

CHAIRMAN STERN:

Thanks for being here. It was good to see you.

LEG. MYSTAL:

Thank you.

CHAIRMAN STERN:

Anybody else? Anybody else? Anybody else? The agenda is done. Motion to adjourn.

LEG. MYSTAL:

Motion. There's nothing on the agenda.

CHAIRMAN STERN:

Very good. We are adjourned.

(THE MEETING CONCLUDED AT 2:55 PM)
_ _DENOTES SPELLED PHONETICALLY